

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 22-CR-169**

**AZIZ HASSAN BEY,**

**Defendant.**

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**ORDER**

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Defendant Aziz Hassan Bey moves for an order granting him copies of the trial transcripts in this case at the government's expense for the purpose of challenging his conviction on direct review in the United States Court of Appeals for the Seventh Circuit. (Docket # 293.) United States District Judge J.P. Stadtmueller has referred this motion to me for disposition. (Docket # 297.)

Section 753(f), 28 U.S.C. provides as follows in relevant part:

Each reporter may charge and collect fees for transcripts requested by the parties, including the United States, at rates prescribed by the court subject to the approval of the Judicial Conference . . . . Fees for transcripts furnished in criminal proceedings to persons proceeding under the Criminal Justice Act (18 U.S.C. 3006A) . . . shall be paid by the United States out of moneys appropriated for those purposes.

A determination of indigency was made as to Bey and Bey was appointed CJA counsel effective March 25, 2023. (Docket # 185.) Although the Court granted Bey's motion to terminate CJA appointed attorney Peter Arnold as stand-by counsel on September 5, 2023 and permitted him to proceed *pro se* without stand-by counsel (Docket # 103), this does not

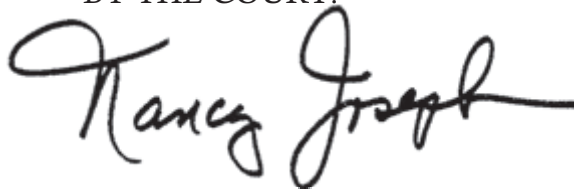
alter the prior finding of indigency allowing for the appointment of CJA counsel in the first place.

Because Bey is proceeding under the CJA and seeks transcripts for use in the direct appeal of his criminal conviction, § 753(f) provides that he is entitled to transcripts paid for by the United States. Bey's motion for copies of trial transcripts at the government's expense (Docket # 293) is granted.

**SO ORDERED.**

Dated at Milwaukee, Wisconsin, this 27<sup>th</sup> day of February, 2024.

BY THE COURT:

A handwritten signature in black ink, reading "Nancy Joseph". The signature is written in a cursive, flowing style. The first name "Nancy" is written with a large, looped 'N' and the last name "Joseph" is written with a large, looped 'J'.

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NANCY JOSEPH  
United States Magistrate Judge